

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING PROVISIONS RELATING TO THE ADEQUATE TRAINING OF MOTOR VEHICLE DRIVERS, AND, IN CONNECTION THEREWITH, CREATING AN ENTERPRISE TO EDUCATE POTENTIAL DRIVERS AND REIMBURSE THIRD-PARTY PROVIDERS FOR A PORTION OF THE COSTS OF ADMINISTERING DRIVING EXAMINATIONS, CREATING A SYSTEM TO ALLOW THIRD-PARTY PROVIDERS TO VERIFY FINANCIAL RESPONSIBILITY OF APPLICANTS, SETTING LIMITS ON THE FEES THIRD-PARTY PROVIDERS MAY CHARGE, PROVIDING TRANSLATION SERVICES FOR DRIVING EXAMINATIONS, AND IMPOSING A FEE ON INSTRUCTION PERMITS AND DRIVER'S LICENSES.

Prime Sponsors: Representative Kipp

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**Appropriation Items of Note**

**Appropriation Required, Amendment in Packet**

**TABOR Impact**

**New Cash Fund**

**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/24/23.

<b>XXX</b>	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

**Amendments in This Packet for Consideration by Appropriations Committee**

<b>Amendment</b>	<b>Description</b>
J.001	Staff-prepared appropriation amendment

**Current Appropriations Clause in Bill**

The bill requires but does not contain an appropriation clause.

**Description of Amendments in This Packet**

**J.001** Staff has prepared amendment **J.001** (attached) to add a provision appropriating a total of \$4,833,654 cash funds to the Department of Revenue for FY 2023-24 from the ADEPT Enterprise Fund. This provision also states that the appropriation is based on the assumption that the Department will require an additional 1.7 FTE.

**Points to Consider***TABOR/ Excess State Revenues Impact*

The March 2023 Office of State Planning and Budgeting (OSPB) revenue forecast projects a TABOR surplus liability of \$720.9 million for FY 2023-24 and \$1.2 billion for FY 2024-25 to be refunded to taxpayers out of the General Fund. Legislation that increases non-exempt revenue (such as cash funds) will increase the TABOR refund from the General Fund. The budget package includes a set aside of \$30.0 million General Fund for ongoing appropriations and \$469.0 million General Fund for bills that create one-time obligations in FY 2023-24.

This bill is estimated to decrease cash fund revenues that are subject to TABOR by \$206,892 in FY 2023-24 and by \$225,700 in FY 2024-25, which will increase the available General Fund in each fiscal year by equal amounts. This bill reduces the TABOR refund made out of the General Fund by \$206,892 for FY 2023-24, increasing the \$30.0 million General Fund set aside for FY 2023-24 by the same amount.

*Technical Note*

The attached fiscal note indicates that the Department of Revenue cannot meet the bill's mid-August effective date due to DRIVES programming requirement constraints.